

Civil Court of the City of New York
County of New York

Index Number: CV-062732-05/NY



DEMI LLC

-against-

BARBARA J STINSON

ORDER TO SHOW CAUSE

To restore case to the calendar, and vacate any judgment, liens and income executions on this defendant on this Index number, allow proposed answer or dismissing the action

UPON the annexed affidavit of BARBARA J STINSON, sworn to on February 22, 2018, and upon all papers and proceedings herein:

Let the Claimant(s)/Plaintiff(s) or Claimant(s)/Plaintiff(s) attorney(s) show cause at:

111 Centre Street, New York, NY 10013

Part 34C - SRL - Procedural Motions - Cons Debt, Room 325

on March 9, 2018 at 9:30 AM

or as soon thereafter as counsel may be heard, why an order should not be made:

VACATING the Judgment, and all income executions and restraining notices, if any, restoring the case to the calendar, allow proposed answer or dismissing the action if warranted, and/or granting such and further relief as may be just.

PENDING the hearing of this Order to Show Cause and the entry of an Order thereon, let all proceedings on the part of the Claimant(s)/Plaintiff(s), Claimant(s)/Plaintiff(s) attorney(s) and agent(s) and any Marshal or Sheriff of the City of New York for the enforcement of said Judgment be stayed.

SERVICE of a copy of this Order to Show Cause, and annexed Affidavit, upon the:

Claimant(s)/Plaintiff(s) or named attorney(s):
(Judge to Initial)

Sheriff or Marshal:
(Judge to Initial)

☒ by Personal Service by "In Hand Delivery"
☒ by Certified Mail, Return Receipt Requested
☒ by First Class Mail with official Post Office
Certificate of Mailing

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on or before 2/24/18, shall be deemed good and sufficient

PROOF OF SUCH SERVICE may be filed with the Clerk in the Part indicated above on the return date of this Order to Show Cause.

Mail to Attorney or party:

Houslanger & Associates PLLC (Counsel for Pltf), at 372
New York Avenue, Huntington, NY 11743

Marshal or Sheriff:

Sheriff of Westchester County
Sheriff's Civil Unit
110 DR MARTIN LUTHER KING JR BLVD
ROOM L217
WHITE PLAINS, N.Y. 10601

February 22, 2018

DATE

Hon. Leticia M. Ramirez, Civil Court Judge (NYC)

DEMI LLC

-against-

BARBARA J STINSON

Affidavit in support of an order to show cause to restore case to the calendar, vacate any judgment, liens and income executions on this defendant on this Index number, allow proposed answer or dismissing the action

State of New York, County of New York:

BARBARA J STINSON, being duly sworn, deposes and says:

(Defendant's initials)

1. ☒ I am the Party named as (Defendant) in the above titled action2. ☒ a) I have been served with a summons and complaint in this action. [NOTE: if Small Claims skip #3, and go to # 4]

b) I have not been served, and my first notice of legal action was [NOTE: if you complete any of #2b, skip #3, #4, #5, and go to #6]

a Notice of Default Judgment mailed to me

a Restraining Notice on my bank account

a copy of an Income Execution served on from Sheriff's office

Other: _____

3. ☐ a) I did not appear and answer in the Clerk's Office because: [NOTE: if you complete # 3a, skip and go to #6].

b) I did not appear and answer in the Clerk's Office

and I received a date for trial

but the answer was entered late

Other: _____

4. On the Date of Trial before Judge/Arbitrator:

a stipulation (a written agreement) was made between claimant/plaintiff and defendant.

a judgment was entered after the trial.

a judgment was entered against me by default for my failure to appear.

Other: _____

5. My reason for not

complying with the stipulation is _____

following the order of the Court is _____

appearing in court on the date scheduled for trial is _____

Other: _____

6. I allege that I have a good defense because:

See Attached Proposed Answer7. ☒ a) I have not had a previous Order to Show Cause regarding this index number.b) I have had a previous Order to Show Cause regarding this index number but I am making this application because: because on the 1st application I made said general denial which was insufficient8. ☒ I request that the Judgment be vacated, that the case be restored to the calendar, and permission to serve these papers in person.

Sworn to before me this day:

February 22, 2018

Signature of Court Employee and Title

(Sign Name)

BARBARA J STINSON
1307 PARK STREET
Peekskill, NY 10566

Civil Court of the City of New York,
County of New York

Index No: CV-062732-05/NY



DEMI LLC

Plaintiff(s)

-against-
BARBARA J STINSON

Defendant(s)

**ANSWER IN PERSON
AND VERIFICATION**

Defendant is advised to mail a copy of this Answer to:
Houslanger & Associates PLLC (Counsel
for Pltf)
372 New York Avenue
Huntington, NY 11743

State of New York, County of New York:

I, **BARBARA J STINSON**, am the Defendant in this action. As my answer to the allegation(s) made in the Complaint, I offer the following:

1. General Denial
2. The credit card that they say I owe on
I have never owned

3. Counterclaim: \$ _____ Reason: _____

Date: 02/22/2018

X Barbara J Stinson
Signature of Defendant in Person

BARBARA J STINSON, residing at 1307 PARK STREET,
Peekskill, NY 10566

VERIFICATION

State of New York, County of New York ss: _____

BARBARA J STINSON, being duly sworn, deposes and says: I am the Defendant in this proceeding. I have read the Answer in Person and know the contents thereof to be true to my own knowledge except as to those matters stated on information and belief, and as to those matters I believe them to be true.

Sworn to before me this 22nd day of Feb, 2018

[Signature]
Notary Public / Court Employee and Title

X Barbara J Stinson
Defendant

For Court Use Only

Initial Calendar Date: _____

Both Sides Notified: _____